

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR04-512-MJP
Plaintiff,)
v.)
JAMES KENT WALTER,) SUMMARY REPORT OF U.S.
Defendant.) MAGISTRATE JUDGE AS TO
) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE

An initial hearing on supervised release revocation in this case was scheduled before me on April 28, 2006. The United States was represented by AUSA Tessa Gorman and the defendant by Catherine Chaney. The proceedings were digitally recorded.

Defendant had been sentenced on or about November 28, 2005 by the Honorable Marsha J. Pechman on a charge of Conspiracy to Commit Bank Fraud, and sentenced to time served, 5 years supervised release. An amended judgment was filed on February 1, 2006. (Dkt. 289.)

The conditions of supervised release included the standard conditions plus the requirements that defendant cooperate in the collection of DNA, no firearms, submit to drug testing as specified, participate in a substance abuse treatment program, submit to search, participate in a mental health

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01 program, pay restitution in the amount of \$35,200, provide access to any requested financial
02 information, allow probation officer to inspect personal computer, report all software and new
03 software purchases, consent to monitoring of computer, no new credit without permission, do not
04 obtain identification documents in any but true name, electronic home monitoring for up to 180
05 days, and take all prescribed medications.

06 In an application dated April 21, 2006 (Dkt 366), U.S. Probation Officer Michael S. Larsen
07 alleged the following violation of the conditions of probation:

08 1. Failure to complete electronic home monitoring program, as directed by the
09 probation officer, in violation of the special condition requiring him to complete up to 180 days
10 of electronic home monitoring.

11 Defendant was advised in full as to the charge and as to his constitutional rights.

12 Defendant admitted the alleged violation and waived any evidentiary hearing as to whether
13 it occurred.

14 I therefore recommend the Court find defendant violated his supervised release as alleged,
15 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
16 set before Judge Pechman.

17 Pending a final determination by the Court, defendant has been detained.

18 DATED this 28th day of April, 2006.

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21 Mary Alice Theiler
22 United States Magistrate Judge

01 cc: District Judge: Honorable Marsha J. Pechman
02 AUSA: Tessa Gorman
03 Defendant's attorney: Catherine Chaney
04 Probation officer: Michael J. Larsen
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